

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JAMES HALE, #182038,

Petitioner,

-vs-

Case No. 05-71301

SHERRY BURT,

Respondent.

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ORDER DENYING MOTION FOR APPOINTMENT OF COUNSEL

Before the Court is the Petitioner's Motion for Appointment of Counsel.

Petitioner has no absolute right to be represented by counsel on habeas corpus review.

Furthermore, neither an evidentiary hearing nor discovery have been requested or are necessary at this time. The interests of justice do not require appointment of counsel

18 U.S.C. § 3006A(a)(2)(B); 28 U.S.C. foll. § 2254, Rules 6(a) and 8(c).

Accordingly, the Court DENIES the motion WITHOUT PREJUDICE. The Court will reconsider the motion if, following the receipt and review of the responsive pleading and Rule 5 materials, it is determined that appointment of counsel is necessary.

SO ORDERED.

Dated: February 01, 2006

s/ Avern Cohn

AVERN COHN

United States District Judge